

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

---

LUCIO F. FUENTES,

Plaintiff,

v.

Case No. 05-C-0802

ELLIS CROSBY & ASSOCIATES, INC.,

Defendant.

---

**ORDER**

Plaintiff Lucio F. Fuentes filed this action on July 27, 2005, and moved for entry of default on October 16, 2005. The court entered the defendant's default on October 17, 2005. On November 21, 2005, the defendant filed a suggestion of bankruptcy, stating that on October 16, 2005, it filed a voluntary petition pursuant to Chapter 11 of the U.S. Code in the United States Bankruptcy Court for the Middle District of Florida, Case No. 3:05-bk-15194-GLP, and named the plaintiff as one of its creditors.

Pursuant to 11 U.S.C. § 362(a)(1), that petition operates as an automatic stay of all judicial proceedings against the defendant. *See Osburn v. Auburn Foundry, Inc.*, 2004 WL 2402836, \*5 (N.D. Ill. Aug. 11, 2004). In light of the bankruptcy petition, the court directs the plaintiff to indicate whether he intends to continue prosecuting this action and, if so, how he wishes to proceed.

Accordingly,

**IT IS ORDERED** that the plaintiff shall indicate within twenty (20) days from the date of this order whether he intends to continue prosecuting this action.

Dated at Milwaukee, Wisconsin, this 20th day of April, 2006.

BY THE COURT:

s/J.P. Stadtmueller  
J.P. STADTMUELLER  
U.S. District Judge